



**Office of the New York State  
Attorney General**

**VIA ECF**

Honorable Cathy Seibel  
United States District Court  
Southern District of New York  
300 Quarropas Street  
White Plains, NY 10601

Conference adjourned to 9/3/25  
at 10:30 am. Plaintiff's response  
letter due 8/27/25. The Clerk  
shall terminate ECF No. 58.

SO ORDERED.

*Cathy Seibel* 7/14/25  
CATHY SEIBEL, U.S.D.J.

**Letitia James  
Attorney General**

July 14, 2025

Re: Germaine Montes v. Superintendent Mark Miller, et al., 24 Civ. 4141 (CS)

Dear Judge Seibel:

I am an Assistant Attorney General in the Office of Letitia James, Attorney General of the State of New York, and I have been assigned this case. Our office currently represents Superintendent Mark Miller (*see ECF #11*), RN Mary Ashong<sup>1</sup>, Deputy Superintendent of Health Services Billie Tuohy<sup>2</sup>, (*see ECF #12*), C.O. Pelot (*see ECF #18*), C.O. Fox (*see ECF #19*), C.O. Laino (*see ECF #20*), Jackson (*see ECF #36*), Cahon (*see ECF #41*), J. Noeth (*see ECF #42*), and Katelyn Richburg (*see ECF #44*).

Pursuant to Your Honor's Individual Rules of Practice 2(A) I submitted a letter motion for a conference seeking leave to file a motion to dismiss Plaintiff's amended complaint. (*see ECF #56*).

Your Honor granted the letter motion to the extent a conference was scheduled for August 27, 2025, at 9:45am.

I am writing this letter motion to request the Court change the conference date and time. I will be out of the office and country between August 25, 2025, through September 1, 2025, returning to the office on September 2, 2025. Additionally for scheduling purposes, I am also unavailable September 5, 2025, at 2:30pm due to a conference scheduled with Judge Briccetti, and I am away for an annual Office of the Attorney General Regional Office conference in Ithaca, New York, between September 16 through September 19, 2025.

I am respectfully submitting this request to the Court as early as possible to minimize the inconvenience to the Court's calendar.

Respectfully submitted,

*Robert Feliu*  
Robert Feliu  
Assistant Attorney General

<sup>1</sup> Please note her name was spelled incorrectly as "Ashonda" in the initial complaint.

<sup>2</sup> Defendants selected the "Deputy Superintendent of Health Services" when filing notice of appearance on behalf of Billie Tuohy.